



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 11-AUG-2021

ORM Number: SAC-2020-00607

Associated JDs: N/A

Review Area Location¹:

State/Territory: SC City: Sumter County: Sumter County

Center Coordinates of Review Area: Latitude 33.9722° N Longitude -80.3846° W

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)³

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Jurisdictional Wetland A	25.92 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an	Jurisdictional wetland A is located along the eastern and southern border of the project site. The on-site

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⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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		artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	<p>jurisdictional wetland is separated by a four-lane culverted roadway (Camden Highway) from wetlands adjacent to Green Swamp, an (a)(4) wetland; feature is contiguous from on-site wetlands to wetlands adjacent to the Green Swamp, except for roadway crossing via culvert.</p> <p>Directly downstream from Green Swamp, the drainage basin recharges Second Mill Pond, an (a)(3) water with adjacent (a)(4) wetlands, in Sumter, SC. The on-site wetlands are consistent in their depiction on the consultant's delineation, the National Wetland Inventory (NWI) maps, aerial maps (Google Earth), LiDAR data, and topographic maps.</p>
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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Excluded Water B	0.94 acres	(b)(1) Non-adjacent wetland	Excluded Water B is located in the far southeastern portion of the site and does not abut and is not inundated by an (a)(1)-(3) water. This wetland is physically separated from an (a)(4) water (Jurisdictional Wetland A) by uplands. Excluded Water B is completely surrounded by uplands, which was determined with a review of LiDAR data, NWI maps, topographic maps, aerial imagery, and soils maps; Excluded Water B lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Excluded Water Ditch	1898.19 lf	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	Excluded Water Ditch was determined to be excluded based on a review of the aeriels, topographic map, and NWIs. The aeriels depict this feature as a straight ditch located along the property boundary. This feature is not depicted on the topographic map or NWIs. This man-made feature is not naturally occurring, a relocation of a tributary, does not originate in adjacent wetlands, and does not meet the criteria of an (a)(1) or (a)(2) water; therefore, it was determined to be an excluded water.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

X Information submitted by, or on behalf of, the applicant/consultant: *Jurisdictional determination request with maps and site pictures received on April 28, 2020, by the applicant's consultant, Newkirk Environmental, Inc. Project site*

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map titled: "BOUNDARY SURVEY / ST. ANNE & ST. JUDE ROMAN / CATHOLIC CHURCH / SITUATED IN CITY OF SUMTER, COUNTY OF SUMTER / STATE OF SOUTH CAROLINA. / PLAT PREPARED AT THE REQUEST OF BISHOP OF CHARLESTON, A / CORPORATION SOLE, DBA CATHOLIC DIOCESE OF CHARLESTON / FBO ST. ANNE & ST. JUDE ROMAN CATHOLIC CHURCH / TMS# 202-00-03-022", dated: April 2, 2020.

This information is sufficient for purposes of this AJD. Rationale: N/A.

___ Data sheets prepared by the Corps: N/A

X Photographs: *(aerial and other) site pictures and maps submitted by Newkirk Environmental Inc., dated February (no day), 2020; Google Earth Aerials dated September 7, 2017; USGS National Map 3D Elevation Program (3DEP).*

___ Corps Site visit(s) conducted on: N/A

___ Previous Jurisdictional Determinations (AJDs or PJDs): N/A

X Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

X USDA NRCS Soil Survey: *NRCS / Soil Survey Geographic Database (SSURGO) Map Service, Sumter County, depicts Coxville-Rains complex (0-2% slopes), Norfolk-Noboco Complex (0-6% slopes), Rains-Coxville-Lynchburg complex (0-2% slopes), Wagram-Norfolk-Lucknow complex (0-4% slopes), Goldsboro-Noboco complex (0-2% slopes), and Johnston mucky sandy loam (0-2% slopes, frequently flooded) within the project site. All soils, except Wagram-Norfolk-Lucknow complex, are listed as hydric for Georgetown County in the 2017 South Carolina Hydric Soils List.*

X USFWS NWI maps: *USFWS NWI - Wetlands Raster REST Map Service dated May 29, 2012, updated July 17, 2020, depicts palustrine forested wetlands along the east and southern boundaries and emergent wetlands within the far southeastern portion of the project site. NWI map approximately matches the submitted delineation of wetlands.*

X USGS topographic maps: *USGS Topographic Maps / 7.5 Minute Index / Sumter West Quad / 1:24000 depicts partially-forested site with uplands within the central portion of the site and wetland symbology along the east and southern boundaries. Additionally, one solid blue line feature is shown running through the southeastern through southern border, within wetland symbology. The blue line feature does not exist as a tributary, but rather as a depressional feature, with wetlands within, that forms a drainage basin. Higher elevation closed contours*

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are shown within the central to northeastern portion of the site. The topographic map is consistent with the NWI map and the consultant's delineation of the on-site wetlands.

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer accessed on March 30, 2021.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field conditions observed on the date of the application form (April 24, 2020). Output from the APT indicated "normal conditions" at the time of data collection by the agent with a condition value of 10. APT outputs with a condition value greater than 14 indicate "wetter than normal" conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 6 weather stations within a ~19 mile radius were used. Lastly, it should be noted that conditions in the months preceding April 2020 (November 2019 – March 2020) on the ATP output were "wetter than normal conditions" at the project site.
- C. Additional comments to support AJD:** This 192.93-acre JD consists of an agricultural field bounded by wetlands. Within the site are one jurisdictional 25.92-acre wetland along the east to southern boundary, one 0.94-acre excluded wetland within the far southeastern portion of site, and one excluded ditch located on the southern property boundary. The remaining 166.07-acres of land are uplands. National wetland inventory maps, topographic maps, and LiDAR imagery were all consistent with the depiction of the site.

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